



MAR 14 2008

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**THE CITY OF NEW YORK
LAW DEPARTMENT**
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**U.S. DISTRICT JUDGE
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March 17, 2008

By Facsimile Transmission

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Honorable Harold Baer, Jr.
United States District Court Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: Anthony Ruiz v. City of New York, et al., 08 CV 2054 (HB)

Dear Judge Baer:

I am the Assistant Corporation Counsel handling the defense of this action on behalf of Defendant City of New York. I am writing to respectfully request a sixty-day enlargement of time from March 20, 2008 to May 20, 2008, within which this office may answer or otherwise respond to the complaint. Matthew Flamin, Esq., counsel for plaintiff, has consented to the requested extension. This is the City's first request for an enlargement of time in this action.

The complaint alleges, *inter alia*, that plaintiff was subjected to false arrest/imprisonment and was unlawfully strip searched. In addition to the City of New York, plaintiff purports to name unknown John Doe 1-3 , employees of the New York City Police Department. Before this office can adequately respond to the complaint, we will need to conduct an investigation into the facts of the case. The enlargement of time will afford us the opportunity to investigate the matter and file an informed responsive pleading.

In view of the foregoing, it is respectfully requested that the Court grant the within request extending the City's time to answer or otherwise respond to the complaint until May 20, 2008. This request will have no effect upon the initial pre-trial conference currently scheduled for April 17, 2008 at 3:45 pm. *1-9*

Respectfully submitted,

~~David M. Pollack (DMP 3873)~~
Assistant Corporation Counsel

cc: Case 1:08-cv-02054-HB-RLE Document 5 Filed 03/19/2008 Page 2 of 2
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